REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-29 are pending, with Claims 1, 10, 11, and 20-29 amended by the present amendment.

In the Official Action, Claims 1-6, 8, 9, 11-16, 18, 19, 21-25, 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shannon (U.S. Patent 6,233,618) in view of Pistoia ("Web Caching and Filtering With IBM Websphere Performance Pack"); Claims 7, 17 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shannon and Pistoia in view of Maurer ("Hash Table Methods"); and Claims 10, 20 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shannon and Pistoia in view of Willens (U.S. Patent 5,889,958).

Claims 1, 10, 11, and 20-29 are amended to more clearly describe and distinctly claim Applicants' invention. The Abstract is amended to less than 150 words. No new matter is added.

Briefly recapitulating, Claim 1 is directed to a computer-based method for restricting access to network accessible digital information by network users of at least one subscriber network. The method includes monitoring at a subscriber network requests by the network users for digital information; determining whether a location indicator associated with a request is included in a database of restricted location indicators maintained at the subscriber network and denying the request where the location indicator is in the database; retrieving at the subscriber network digital information stored at a location corresponding to the location indicator and initially analyzing content of information at the location for a predetermined maximum time in the event that the location indicator is not in the database and denying or fulfilling the request based on the initial analysis; periodically forwarding location indicators

associated with requests and not in the database from the subscriber network to a remote

network node; retrieving at the remote network node information stored at a location

corresponding to the forwarded location indicator and further analyzing a content type of the

retrieved information; and periodically dispatching to the subscriber networks from the

remote node location indicators found by the further analysis to have restricted type content

stored therein, for inclusion in the database of restricted location indicators maintained at the

subscriber network.

Claims 11 and 21 directed to a system and a computer software program for

restricting access, including features for analyzing a content type of information stored at a

location corresponding to a location indicator not in the database for a predetermined time,

and denying or fulfilling the request based on the analysis; and periodically forwarding

location indicators associated with requests and not in the database to a remote network node

Shannon describes a process for filtering web requests. The process includes

determining if the new URL is contained in any one of three databases. The first database is

a URL queue database 152 that stores the new URLs in incoming order for processing by

subsequent steps. If the new URL in step 151 is not in URL queue database 152, an

uncategorized URL database 153 is then checked. Database 153 holds URLs that must be

categorized. If the new URL in step 151 is not in databases 152 or 153, the

category/restricted destination database 208 is checked. If the new URL is in none of these

databases (152, 153 or 208), step 151 places the new URL in the URL queue database 152.[1]

In step 154 the next URL is retrieved from queue database 152 to determine a

network address of the server that provides the content of the URL. In step 154 a description

of the URL is sought. Any description obtained in step 154 is saved in the uncategorized

database 153 in step 155 until the server, data stream or website for this new URL can be

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[1] Shannon, column 10, lines 7-23.

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examined for content by a person. In step 156, a person who assists in the creation and maintenance of the category/restricted destination database 108 reviews the next URL at the top of the list of URL database 153.[2] After an analysis by a human, categorization data is stored in database 208 for future access control. In step 158, the URL associated with the data is removed from the uncategorized database 153.[3] The processing of Figure 2 of Shannon is typically performed by the service organization that provides the category database 208 to all subscribers of a corresponding service.[4]

Applicants first note that Shannon does not disclose or suggest "...initially analyzing the content of the information *for a predetermined maximum time*..." In Shannon, no mention is made of time limits.

Also, the Official Action does not identify which of the three databases described in Shannon corresponds to Applicants' claimed database of restricted location indicators maintained at each subscriber network. If Shannon is to be relied upon for any future rejection, Applicants request a specific identification of where each element of Applicants' claims is allegedly disclosed by Shannon.

The Official Action also does not identify which of the three databases, if any, described in Shannon corresponds to Applicants' claimed remote network node. Applicants surmise that the Official Action intends to equate Applicants' claimed remote node with Shannon's person who assists in the creation and maintenance of the category/restricted destination database 108. If Shannon is to be relied upon for any future rejection, Applicants request the Official Action more clearly describe if and how any feature of Shannon corresponds to the claimed remote node.

Also, as acknowledged by the Official Action, Shannon fails to disclose or suggest "periodically forwarding location indicators associated with a request and not in the database

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[2] Shannon, column 10, line 24 through column 11, line 19.
[3] Shannon, column 11, lines 16-40.
[4] Shannon, column 11, lines 51-56.

from the subscriber networks to a remote network node." Indeed, Shannon is explicit in step 156 in describing that a person who assists in the creation and maintenance of the category/restricted destination database 108 reviews the next URL at the top of the list of URL database 153. The processing of Figure 2 of Shannon is typically performed by the service organization that provides the category database 208 to all subscribers of a corresponding service. Shannon teaches away from Applicants' claimed "periodically forwarding location indicators associated with a request and not in the database from the subscriber networks to a remote network node" because Shannon requires the remote user to access the database directly, rather than rely upon the forwarding of data.

The Official Action points to Pistoia for a teaching of "periodically forwarding location indicators associated with a request and not in the database from the subscriber networks to a remote network node."

Page 17 of Pistoia describes PICS filtering at a proxy server level. Such proxy server filtering removes responsibility away from the client, allowing proxy server administrators to directly prevent certain types of information from being served to specific browsers. When a URL is accessed, a caching and filtering proxy server uses rules to determine if the request for the URL will be allowed or denied.

However, contrary to the Official Action, nothing in Pistoia describes periodically forwarding location indicators associated with a request and not in the database from the subscriber networks to a remote network node. That is, the cache stores data while the filter filters. There is no forwarding of data in Pistoia. Also, like Shannon, Pistoia also does not disclose or suggest "...initially analyzing the content of the information *for a predetermined maximum time...*" Maurer and Willens do not cure any of the above identified deficiencies of Shannon and Pistoia.

MPEP §706.02(j) notes that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Also, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on Applicants' disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir.1991). Without addressing the first two prongs of the test of obviousness, Applicants submit that the Official Action does not present a *prima facie* case of obviousness because both Shannon and Pistoia fail to disclose all the features of Applicants' claimed invention.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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